

**PC(USA) v. Tempelman,
Disciplinary Case No. 197-8,**

Order Dismissing Appeal

**THE PRESBYTERIAN CHURCH (U.S.A.),
Prosecutor-Appellee**

vs.

**REV. ANDREW D. TEMPELMAN,
Defendant-Appellant**

This matter comes before the Permanent Judicial Commission of the General Assembly of the Presbyterian Church (U.S.A.) pursuant to its own motion filed by the Rev. Andrew D. Tempelman, Defendant-Appellant.

The record discloses that the decision of the Permanent Judicial Commission of the Synod of the Northeast was received by the Defendant-Appellant on or about the 5th day of July, 1984. By letter dated August 6, 1984, and received by the Stated Clerk of the General Assembly on August 17, 1984, Defendant-Appellant gave no notice of appeal of said judgment to this Commission.

Rules of Discipline, D-13.0400, states that written notice of appeal shall be filed with the Stated Clerk within thirty days after the judgement had been delivered by certified mail to Mr. Tempelman. This notice period is jurisdictional for the General Assembly Permanent Judicial Commission.

Even assuming the earliest date of August 6, 1984, Defendant-Appellant's Notice of Appeal was not filed within the thirty-day limitation and therefore this court is without jurisdiction to hear this appeal.

This order, issued February 17, 1985, by the entire Permanent Judicial Commission of the General Assembly, confirms the interim order issued January 21, 1985. The appeal is hereby dismissed.